

**UNITED STATES DISTRICT COURT**  
EASTERN DISTRICT OF CALIFORNIA

FAYEDA ABDULLAH ALAWI, et al.,

Plaintiffs,

v.

U.S. CITIZENSHIP AND IMMIGRATION  
SERVICES (USCIS), et al.,

Defendants.

Case No. 1:20-cv-00608-NONE-SAB

ORDER CONTINUING MANDATORY  
SCHEDULING CONFERENCE AND  
REQUIRING PLAINTIFF GAMILAH  
SALAH ALI SALEH TO FILE A PETITION  
FOR APPOINTMENT OF A GUARDIAN  
AD LITEM

(ECF No. 9)

TEN DAY DEADLINE

Fayeda Abdullah Alawi, Qasem Salah Ali Saleh, and Gamilah Salah Ali Saleh filed this action seeking declaratory and injunctive relief and a writ of mandamus. Due to the rapidly approaching scheduling conference, on June 23, 2020, Plaintiffs were ordered to file a notice of status of service on the defendants. On this same date, summons were returned for Defendants Lynn Q. Feldman, Monica Toro, U.S. Citizenship and Immigration Services (USCIS), Kenneth T. Cuccinelli, and U.S. Department of Homeland Security. A response was also filed stating that service is still being attempted on Defendants the United States Department of State, the National Visa Center, and the U.S. Embassy in Djibouti. As not all the defendants have been served, the Court shall continue the scheduling conference set for July 28, 2020.

Additionally, upon review of the complaint, G.S.A.S. is a minor. (See Compl. ¶ 22, ECF No. 2.) The Federal Rules of Civil Procedure provide that “[t]he following representatives may

sue or defend on behalf of a minor or an incompetent person: (A) a general guardian; (B) a committee; (C) a conservator; or (D) a like fiduciary.” Fed. R. Civ. P. 17(c). Pursuant to the Local Rules of the Eastern District of California, upon commencing this action on behalf of a minor, “the attorney representing the minor or incompetent person shall present (1) appropriate evidence of the appointment of a representative for the minor or incompetent person under state law or (2) a motion for the appointment of a guardian ad litem by the Court, or, (3) a showing satisfactory to the Court that no such appointment is necessary to ensure adequate representation of the minor . . . .” L.R. 202(a).

Accordingly, IT IS HEREBY ORDERED that:

1. Within **ten (10) days** from the date of entry of this order, Plaintiffs’ counsel shall file evidence that the representative has been appointed under state law or a motion for appointment of a guardian ad litem that meets the requirements of Rule 202;
2. The mandatory scheduling conference set for July 28, 2020 is CONTINUED to **November 17, 2020**, at 10:00 a.m.; and
3. The parties shall file a joint scheduling report **seven (7) days** prior to the continued conference date.

IT IS SO ORDERED.

Dated: **June 24, 2020**

  
UNITED STATES MAGISTRATE JUDGE